

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIAN JONES,

Plaintiff,

DOCKET NO. 04-cv-30215-MAP

V.

THE URBAN LEAGUE OF
SPRINGFIELD, INC. and
CAMP ATWATER,

Defendants.

JOINT MOTION TO CONTINUE
PRETRIAL SUBMISSIONS AND FINAL PRETRIAL CONFERENCE

The parties respectfully submit this Joint Motion to Continue Pretrial Submission and Pretrial Conference. The pretrial conference in this case is currently set for June 1, 2006 at 2 p.m., and pretrial submissions including the Joint Pretrial Memorandum, *voir dire* questions, motions in *limine*, and jury instructions must be submitted by May 24, 2006, in advance of that conference. The parties request that the Court reschedule the final pretrial conference and set a date for the above mentioned submissions to dates after July 4, 2006, to be scheduled at the Court's convenience.

As grounds therefore, the parties state:

1. The parties understood this case had been scheduled for trial before Chief Magistrate Judge Neiman and had been assigned a trial date. They subsequently learned the case would not be tried before Chief Magistrate Judge Neiman but, instead, was to be tried before Judge Ponsor and that no trial date

had been set. The parties further believe no trial has yet been set. Because of the press of other business, the parties neglected to request the Court move the dates for submission of the joint pretrial memorandum and reschedule the final Pretrial Conference to align with whatever trial date will be set.

2. After learning that a trial date had not been set, the parties focused on settlement discussions rather than trial preparation. Those discussions are continuing and the parties believe it would be in the interests of justice to determine if the case can be settled before they prepare the information to prepare the joint pretrial memorandum. The parties also believe the additional time will allow them to maximize the possibility the case can be settled.

WHEREFORE, for all the foregoing reasons, the parties respectfully request that the Court reschedule the trial and the final pretrial conference and set a date for the above mentioned submissions all to dates after July 4, 2006, to be scheduled at the Court's convenience.

Dated: May 17, 2006

THE PLAINTIFF
By his Attorney,

/s/ Suzanne Garrow
Suzanne Garrow
BBO# 636548
Heisler, Feldman, McCormick,
& Garrow P.C.
1145 Main Street, Suite 508
Springfield, MA 01103
Tel: (413) 788-7988

THE DEFENDANT
By its Attorney,

/s/ Robert L. Leonard
Robert L. Leonard
BBO # 294060
Doherty, Wallace, Pillsbury
& Murphy, P.C.
One Monarch Place, Suite 1900
Springfield, MA 01144-1900
Tel: (413) 733-3111

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF).

/s/ Robert L. Leonard
Robert L. Leonard